FARAD CONTINUTION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Contempt petition no. 282 of 2005

Office Notes,Office Memorandum of Coram appearence,Court's Orders & Directors and Registrar's Order	Court or Judge's Order

Mr. V.S.Deokar for petitioner
Mr Nitin Jamdar for respondent no.2

CORAM; A.M.KHANWILKAR J.

DATED 2.2.2006

P.C.

. Heard the learned counsel for the petitioner. This contempt petition is filed for initiating contempt action against the respondents. As the petitioner concedes that the representation filed by it before the Dy Director of Education, Pune Region, has been finally decided after hearing the petitioner, it is incomprehensible as to how the respondents have committed any breach of the order passed by this court on 9.9.2004. In

para 5 of the order passed by the Division Bench of this court limited direction which was issued to the respondents is as follows:

"...In these circumstances, in our view, it will not be proper for us to issue a Mandamus to the concerned officer. The better course will be that the petitioner files a comprehensive representation to the Deputy Director of Education, Pune Region, wherein it sets out its claim for these grants from l998-l999 onwards. The necessary representation will be filed within two weeks from today. On receiving the representation and on hearing the office bearers of the petitioner Institution, the Deputy Director will arrive at his decision on merits within twelve weeks independent of the decision dated l3th December 200l challenged herein. However, all that we expect is that the officer will pass a speaking order giving reasons as to why the grants are being granted

or they are not being granted if he decides to decline the same. It will be open to the concerned officer to visit the school and make all necessary enquiries.

Petition disposed of in these terms. No order as to costs".

. As the above direction has already been complied with it is not open for this court to initiate contempt action. The grievance of the petitioner that the order passed by the Dy Director of Education, Pune Region has not been implemented cannot begone into in the present proceedings. It will be pen to the petitioner to take recourse to such remedy as may be permissible in law.

Disposed of on above terms.